REMARKS

Claims 1-24 are pending. Claim 23 was objected to because of informalities. Claim 23 has been amended to correct informalities. Claims 1-9, 11-19, 21-22, 23-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Chase (7,092,389) in view of Holmgren (7,113,512).

The Examiner indicated that Chase is silent regarding replacing the outer tag and the inner tag with one or more identifiers transmission onto the external network. The Examiner relies on Holmgren to describe replacing the outer tag and the inner tag with one or more identifiers for transmission onto the external network. The Examiner argues that Holmgren describes an "Ethernet header 42" and a "VLAN tag 46" that are the outer tag and the inner tag. The Examiner argues that Holmgren replaces the outer tag and the inner tag with one or more identifiers for transmission onto the external network because Holmgren removes "Ethernet header 42 and the VLAN tag 46 from the frame, leaving just the Ethernet payload 44 which is nothing more than an IP packet."

The Applicants respectfully disagree. Holmgren states "In accordance with present principles, the EIWS 24, upon receipt of an Ethernet formatted frame, such as frame 20.sub.1, first determines whether the frame is destined for an endpoint served by the ATM network 26, such as one of the routers 28, 30, and 32 of FIG. 1, based on the address specified by the VLAN tag 46 of FIG. 2 in that Ethernet-formatted frame. If the frame 20.sub.1 is indeed destined for such an endpoint, then the frame requires interworking, whereupon, the EIWS 24 then removes the both Ethernet header 42 and the VLAN tag 46 from the frame, leaving just the Ethernet payload 44 which is nothing more than an IP Packet. The EIWS 24 then forms ATM AAL5 Frame 44.sub.1 that includes this payload (the IP packet)." (Figure 3 Description)

The Applicants acknowledge that Holmgren does describe removing an Ethernet header 42 and the VLAN tag 46 from the frame. However, if the VLAN tag 46 is assumed to be an inner tag, the Ethernet header 42 is not an outer tag or any tag at all for that matter. An Ethernet header is not an inner tag or an outer tag. The independent claims explicitly indicate that the Ethernet header is separate from an outer tag or an inner tag. The independent claims recite a "frame having an outer tag value identifying a customer site in a metro ethernet network, an inner tag value, an ethernet packet header, and an ethernet packet payload." That is, the frame

has an outer tag value, an inner tag value, an ethernet packet header, and an ethernet packet payload. The ethernet header is neither an inner tag nor an outer tag. Consequently, even if Holmgren replaces the Ethernet header 42 and the VLAN tag 46, Holmgren still does not teach or suggest replacing an outer tag and an inner tag because the Ethernet header 42 is neither an outer tag nor an inner tag.

The Examiner indicated that Chase is silent regarding replacing the outer tag and the inner tag with one or more identifiers transmission onto the external network. The Applicants confirm that Chase also does not teach or suggest replacing the outer tag and the inner tag with one or more identifiers. Chase does describe a metro ethernet network, as "FIG. 1 depicts an Ethernet Protocol Metropolitan Area Network (MAN) 10 comprised of a plurality of Multi-Service Platforms (MSPs) 12.sub.1 12.sub.n where n is an integer, each MSP taking the form of an Ethernet switch or the like. In the illustrated embodiment n=4, although the network 10 could include a smaller or larger number of MSPs. A fiber ring or SONET ring infrastructure 14 connects the platforms 12.sub.1 12.sub.4 in daisy-chain fashion allowing each MSP to statistically multiplex information onto, and to statistically de-multiplex information off the ring infrastructure 14." (Figure 1 Description)

Applicants believe that Chase does not make any teaching or suggestion that an outer tag and an inner tag should be replaced. Chase also does not make any teaching or suggestion of replacing an outer tag and an inner tag for transmission onto an external network.

In light of the above remarks, the rejections to the independent claims are believed overcome for at least the reasons noted above. Applicants believe that all pending claims are allowable in their present form. Please feel free to contact the undersigned at the number provided below if there are any questions, concerns, or remaining issues.

Respectfully submitted,
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